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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,440	03/30/2001	Jin Lu	US010078	8463

24737 7590 08/04/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

EXAMINER

ZAMANI, ALI A

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 08/04/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,440

Applicant(s)

LU, JIN

Examiner

Ali A. Zamani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 4-11, 14-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Liebenow et al. (US Pub. No. 2002/0118175 A1).

In regard to claims 1 and 11, Liebenow et al. disclose a handheld device (300) for easily inputting: a display (314) for showing the input of text; and a touch pad (320) disposed anywhere on handheld device except over display (314), touch pad (320) being pressure sensitive (col. 5, lines 28-30), wherein finger pressure will input textual information upon display (see Figs 15 and 16). Furthermore, finger pressure inputs finger position and textual information upon display (314) (Figs 7 and 15 and 16).

As to claim 2, Liebenow et al. disclose the handheld device (300) comprises means for indicating finger position on touch pad (320) (see Figs 10-11 and 15-16).

In regard to claims 4-6 and 14-16, Liebenow et al. disclose a touch pad (320) comprises a keyboard for placement of fingers and multiplicity of finger sensitive pressure zones (Figs 2 and 8, Page 5, col. 2, lines 1-10).

In regard to claims 7-8 and 17-18, Liebenow et al. disclose a touch pad (320) is positioned behind display (314), wherein display (314) comprises an LCD screen (Page 5, col. 1, lines 57-60).

In regard to claims 9 and 19, Liebenow et al. disclose a display (314) comprises means for displaying text in a word processing format (see Figs 1, 3 and 4, page 3, col. 1 lines 55-67).

In regard to claims 10 and 20, Liebenow et al. disclose a touch pad (320) comprises means for adjusting finger pressure necessary for activating keyboard and inputting text (Fig. 1, page 4, col. 1, lines 26- 42).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebenow et al. in view of Gillespie et al. (US Pat. No. 6,414,671 B1).

In regard to claims 3, 12 and 13, Liebenow et al. teach a handheld device for easily inputting: a display for showing the input of text; and a touch pad disposed anywhere on handheld device except over display, touch pad being pressure sensitive, wherein finger pressure will input textual information upon display. Liebenow et al. fail to teach an “adjusting threshold

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of a touch pad, below which display is dormant and above which finger positions are displayed". However, Gillespie et al. teach a method for a position sensor system including touch sensor array (22) and associate position detection circuitry will detect a finger position on a touch – sensor pad, tapping, drags, pushes, extended drags and variable drags gesture are recognized by analyzing the position, pressure (see the abstract). Gillespie et al. teach adjusting pressure threshold of a touchpad (col. 23, lines 40-47). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate Gillespie et al. teaching in Liebenow et al. to provide for the recognition of multiple-finger gestures and for simulating secondary key pressing.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Zamani whose telephone number is (703) 308-6414. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

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(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Ali Zamani

July 09, 2003



RICHARD HUEPPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600